

20/03153/FUL**Applicant** Dr Sharon Ding**Location** 12 Abbey Road West Bridgford Nottinghamshire NG2 5HB**Proposal** Proposed Two Storey Rear Elevation extension and Single Storey Side Elevation Extensions**Ward** Trent Bridge

THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached dwelling standing on a corner plot, the main garden area of which is to the south side adjacent Florence Road. It has a detached garage to the rear accessed from a driveway off Florence Road. It is of traditional construction being red brick with a clay tile roof and black and white timber detailing to a front gable. The site is located within an established residential area of West Bridgford.

DETAILS OF THE PROPOSAL

2. The current application seeks planning permission for a two storey rear extension and a single storey side extension. There is an existing lean-to kitchen extension on the rear of the dwelling with a projection of circa 1.2m off the main rear elevation. This would be demolished, as would an existing lean-to side extension.
3. The proposed single storey side extension would have a floor area of approximately 5.3 sqm, with a width of 1.5m and a length of 3.5m. It would have an eaves height of 2.7m and a mono-pitch ridge height of 3.9m. It would be within 135mm of the boundary with 10 Abbey Road to the north.
4. The proposed two storey rear extension would have a projection of 2.25m with a width of 7.065m across the rear elevation. It would have eaves to the same height as the host dwelling and a hipped roof aligning with the roof of the host dwelling. It would be a minimum of 1.19m off the shared boundary with 10 Abbey Road and 4.298m off the rear boundary, which is the side boundary of 39 Florence Road.

SITE HISTORY

5. There is no planning history for the application site.

REPRESENTATIONS

Ward Councillor(s)

6. One Ward Councillor (Cllr Bansal) objects to the proposal on grounds that:

- a. it would block natural sunlight to the neighbours for the majority of the day; and
- b. the overlooking/privacy impact on the neighbours (from windows of number 12's proposed extension).

Local Residents and the General Public

7. The resident at 6 Abbey Road (3 properties to the north of the application site) objects for reasons which are summarised as follows:
 - a. Impact on surrounding properties reducing sunlight by a significant amount.
 - b. Wildlife would not survive in a shaded environment.
 - c. Height and size of the extension will have a detrimental impact on local wildlife conservation and sunlight hours to the surrounding properties.
8. The resident at 8 Abbey Road (two properties to the north of the application site) objects on grounds that the proposal would reduce light to the rear of the property and rear garden.
9. The residents at 10 Abbey Road (immediate neighbour to the north) object to the proposal for reasons that are summarised as follows:
 - a. The height and size of the proposed 2 storey extension will block out 100% of our sunlight from 11.30 am until 4.30 pm/5.00pm.
 - b. Building this very tall extension will eliminate any pleasure gained from one of favourite past times, which is gardening.
 - c. If this tall extension were built right up to the boundary wall, it would create huge problems with excessive water in the garden due to the soak away area not drying out.
 - d. The glass conservatory to rear of the property will get no natural sunlight or light whatsoever from 11.30 am until 4.30pm/5.00pm.
 - e. The extension will also affect the natural light and natural heat coming into the main back bedroom, sitting room, kitchen/dining room.
 - f. This overbearing extension would mean from the garden the proposal would result in a very tall, intrusive and unattractive wall, giving a sense of being hemmed in whilst in the garden.
 - g. If all the sunlight was eliminated, the resident would have to use their tumble drier even through the sunnier months.
 - h. Concerns over access to main drains.
 - i. Scale of the development is out of proportion with the size of the plot.
10. The resident at 13 Abbey Road (dwelling on the opposite side of Abbey Road to the east) objects for reasons which are summarised as follows:

- a. A loss of privacy and light suffered by the neighbouring property and garden at Number 10, Abbey Road to the NE of Number 12.
 - b. Overdevelopment and not in keeping with the character of the neighbourhood.
 - c. Impact on highway safety particularly during construction.
11. A resident at 39 Florence Road (property to the rear of the application site) objects for reasons which are summarised as follows:
- a. Extension will have a detrimental effect upon the property next door on Abbey Road, impacting upon the amount of light levels and privacy of number 39, Florence Road.
 - b. Detrimental effect from extension, being overlooked and losing natural light is being ignored.
 - c. Single storey extensions should be the model that a forward thinking council is advocating.

PLANNING POLICY

12. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy 2014 (LPP1) and The Rushcliffe Local Plan Part 2: Land and Planning Policies 2019 (LPP2). The overarching policies in the National Planning Policy Framework (the NPPF) are also relevant. Additionally, the Rushcliffe Residential Design Guide 2009 as a Supplementary Planning Document is a material consideration.

Relevant National Planning Policies and Guidance

13. The NPPF carries a presumption in favour of sustainable development and states that, for decision taking, this means “*approving development proposals that accord with the development plan without delay*”. Importantly, the NPPF requires that planning permission be granted “*where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date*” unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
14. Chapter 12 of the NPPF concerns achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping and should be sympathetic to local character and history and maintain a strong sense of place. Importantly, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. However, where the design of a proposed development accords with clear expectations of plan policies, design should

not be used by decision makers as a valid reason to object to the development.

Relevant Local Planning Policies and Guidance

15. Policy 1 of the LPP1 reinforces the positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy 10 of the Core Strategy states, *inter alia*, that all new development should be designed to make a positive contribution to the public realm and sense of place and reinforce valued local characteristics. Of particular relevance to this application are 2(b) whereby the proposal should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing
16. In setting out the development requirements for the Borough, policy 1 of the LPP2 broadly echoes policy 10 of the Core Strategy. Specifically, it states that planning permission will be granted for extensions provided that there is no significant adverse effect upon the amenity of adjoining properties or the surrounding area; and the scale, density, height, massing, design, layout and materials of the proposal are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. Extensions should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy.
17. Consideration should also be given to the supplementary guidance provided in the Rushcliffe Residential Development Guide which suggests that the style and design of any extension should respect that of the original dwelling and should not dominate over it. The Guide also requires that extensions should be designed so that they are not readily perceived as merely 'add-ons' to the original building and therefore scale, proportion, and roof form are very important.

APPRAISAL

18. The main factors in the consideration of this application are the scale, design and appearance of the extension and the impact on the amenities of the area and neighbouring properties in particular.
19. The rear elevation of 10 Abbey Road to the north is formed by a single storey rear extension and a small lean-to conservatory extension. There are no windows in the main side elevation of no.10, although the conservatory does have a glazed side wall. There is an existing brick wall and horizontal timber fence to height of circa 2m forming the boundary between the two properties.
20. It is not considered that the proposed single storey side extension would have any undue detrimental impact on the neighbouring dwelling at no.10, or any other nearby dwelling. Only the single storey side extension would be visible from the public realm on Abbey Road. It is not considered that this would have a detrimental impact on the street scene or the area in general.
21. It is the proposed two storey extension that has generated objections from nearby neighbours. Once the small kitchen projection has been removed, the main two storey rear elevation of 12 Abbey Road, the host dwelling, is set back

from the rearmost part of no.10, i.e. the single storey extensions to the rear of the neighbouring property project around 2.50m beyond the main rear wall of the application property. The proposed two storey rear extension would have a projection off the original rear elevation of around 2.2m, still not projecting beyond the rear wall of the single storey extensions to the rear of no.10. The proposed two storey extension would be circa 1.19m off the shared boundary with no.10.

22. The dwellings at nos.12 and 10 are on a north-south orientation and as such over-shadowing is currently fairly minimal, depending on the time of day and year. The concerns of the neighbours at no.10 have been noted and considered, however given the site orientation, the relatively minor projection of the proposed two storey extension (circa 2.2m) and the hipped roof design, and the projection of the single storey extension at no.10 beyond the rear of the proposed extension, it is concluded that the proposed two storey extension would have little undue impact on the residential amenities of 10 Abbey Road in terms of over-shadowing or over-bearing. In the afternoon, as the sun drops westwards, there would be minimal additional over-shadowing as both the rear elevations of no.10 and no.12 face west.
23. The applicant's agent has submitted a sun path study comparing the impacts of overshadowing on the neighbouring property at various times on the day on 31 March, 31 July and 31 December, both without and with the extension. The greatest overshadowing occurs on 31 December when the sun would be lowest in the sky. The study indicates that the existing dwelling, without the extension in place, already casts a shadow across the whole garden of the neighbouring property, with the overshadowing reducing as the sun tracks from east to west, totally clearing the back garden of no.10 by around 2pm. The study appears to indicate that the proposed extension would have little discernible impact at this time of year. Similarly, the study for 31 July indicates that the extension would cause a minimal increase in the overshadowing, when compared with the shadow cast by the existing dwelling.
24. There would be no additional direct over-looking towards 10 Abbey Road, any new first floor windows having a similar impact to those already existing. The windows at first floor level would serve non-habitable rooms, i.e. a bathroom, an ensuite and a dressing room. The bathroom and ensuite would likely be obscurely glazed, a condition is recommended to ensure that this is the case. The dressing room window is located toward the southern end of the rear elevation and it is not considered that this window, given its position in the rear elevation and distance to the boundary with no.10, would result in unacceptable overlooking.
25. The dwelling has a hipped roof to the rear and the proposed extension would continue this roof form helping reduce any perceived over-bearing impact and also maintaining the character of the dwelling. The minimal projection of the rear extension would mean the extension roof would not create a bulky roof form. The rear extension is such that it is considered not be over-bearing or out of character for the area.
26. The host dwelling is on a corner plot and benefits from this by having a detached garage within its curtilage accessed via a driveway off Florence Road. The driveway to the garage is fenced on both sides, the west side being the boundary with no. 39 Florence Road. The concerns of the rear neighbour

at 39 Florence Road have been taken into account. The centre of the rear garden of this property is around 21m away from the proposed two storey extension and the end of the garden at no.39 (the site of a proposed patio, as indicated by the neighbour) would be around 27m away. The rear garden of no.39 would not be directly over-looked by the proposal and there is established and substantial planting forming adequate screening between the two dwellings.

27. The side elevation of 39 Florence Road, facing the rear of 12 Abbey Road, is a blank elevation and no over-looking would occur, nevertheless it is screened by the existing garage at no.12 and it is not considered that the residential amenities of the dwelling at no. 39 Florence Road, or its garden would be unduly impacted by the proposals.
28. There have also been objections from nos. 6 and 8 Abbey Road who do not adjoin the site in any way. It is not considered that these dwellings or their gardens would be impacted by the proposal being a significant distance away.
29. The neighbour opposite at 13 Abbey Road objects to the proposal on similar grounds to the dwellings that actually adjoin the application site but also mentions the plot size and over-development. As a corner plot, the site has a paved area at the rear and a larger lawned area to the side, creating ample garden space. The proposed two storey rear extension would bring the dwelling 2.2m closer at the rear to the existing detached garage leaving the main lawned area to the side unaffected, whilst maintaining a rear paved area that would still provide a perfectly useable recreation/patio space. It is not considered that the proposal constitutes over-development.
30. The comments regarding highway impacts during construction and access to drains are noted but these are not a planning issues and cannot hold any weight in the assessment of the planning application.
31. The applicant's property is situated within a recognised Environment Agency Floodzone 2 or 3 and so it must adhere to the Governments standing advice on householder development within a flood risk area. The advice states that all new development must be situated on the same level as the existing dwelling or 300mm above existing flood levels. It is considered that the proposal adheres to these policies with the floor level in the extension matching the floor level in the existing property.
32. There were no perceived problems with the application and therefore no requirement for negotiation with the applicant/agent or the need to request any amendments. Consequently, there was no undue delay in the decision of the application

RECOMMENDATION

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

OFFICIAL

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): 12ABRD/PP/2 received on 15 December 2020.

[For the avoidance of doubt and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

4. The first floor windows in the west elevation of the proposed two storey rear extension, serving the bathroom and ensuite as shown on drawing number 12ABRD/PP/2, shall be fitted with glass that has been rendered permanently obscured to Group 5 level of privacy, or equivalent, and will be non-opening to a height of 1.7m from internal floor level. The windows shall be retained to this specification for the lifetime of the development.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

Notes to Applicant

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.